

# **EXHIBIT 1**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

THOMAS E. BURNETT, SR., et al.,

Plaintiffs,

v.

AL BARAKA INVESTMENT AND  
DEVELOPMENT CORPORATION, et al.,

Defendants.

Civil Action No.  
02CV01616

DECLARATION OF HIS ROYAL HIGHNESS  
PRINCE TURKI AL-FAISAL BIN ABDULAZIZ AL-SAUD

IN THE NAME OF ALLAH, THE MERCIFUL, THE COMPASSIONATE,  
I, Turki Al-Faisal bin Abdulaziz Al-Saud, declare as  
follows:

1. I am over 18 years of age and have personal  
knowledge of the facts described in this declaration  
(unless otherwise stated herein) and am competent to  
testify thereto.

2. This declaration is submitted in support of a  
motion to dismiss the claims against me on grounds  
including but not limited to sovereign immunity, diplomatic  
immunity, and want of personal jurisdiction. The  
submission of this declaration is not intended to waive, in  
any way, the diplomatic and sovereign immunities afforded  
to the Government of the Kingdom of Saudi Arabia ("Saudi

Arabia") and its officials under United States law. Nor should the submission of this declaration be construed as a waiver, in any respect, of my objections to this honorable Court's exercise of jurisdiction over my person.

3. I was shocked and remain profoundly saddened by the tragic events of September 11, 2001. The victims of the terrorist attacks and plane crashes and their families have my deepest sympathy. I share their resolve to bring to justice the perpetrators of these terrible crimes. My own father, King Faisal, was killed in a terrorist attack on March 25, 1975.

4. The Third Amended Complaint ("Complaint") in this action attempts to link me with the September 11 terrorist attacks. I emphatically deny that I had any connection whatsoever with those attacks. I deny that I in any way encouraged, funded, or provided any form of material or other assistance - direct or indirect - to enable Osama bin Laden and his Al-Qaeda network of terrorists to perpetrate these attacks.

5. From September 1977 until August 31, 2001, I served as Director of Saudi Arabia's Department of General Intelligence ("DGI"), also known by its Arabic name, Istakhbarat. The DGI is involved in the collection and analysis of foreign intelligence and in carrying out

foreign operations. The activities of the DGI are an integral part of Saudi Arabia's foreign and national security policies. All my interactions with Osama bin Laden, Al-Qaeda, and the Taliban were in my official capacity as Director of the DGI.

6. Among my other duties as Director of the DGI, I was actively involved in Saudi Arabia's efforts to combat international terrorism generally and the threat posed by Osama bin Laden and Al-Qaeda in particular. In so doing, I shared information and cooperated closely with intelligence agencies all over the world, including the U.S. Central Intelligence Agency ("CIA").

7. In the 1980s, under my leadership, the DGI cooperated with the CIA and with Pakistani intelligence agencies in operations to aid those fighting to expel the Soviet Union from Afghanistan, which the Soviets had invaded in 1979. Saudi Arabia, along with the United States, gave substantial aid to the various Afghan factions, known collectively as the "Mujahideen," during their struggle against the Soviet Union.

8. We and the United States continued our support for the Mujahideen until 1989, when the Soviet Union completed its withdrawal from Afghanistan. At that point, the Mujahideen started fighting one another for control in

Afghanistan, and we stopped providing any direct aid to the various Afghan factions. In particular, we provided no such aid to the Taliban, which only came into existence in the chaotic period following the Soviet withdrawal from Afghanistan. Saudi Arabia, however, did provide and continues to provide humanitarian assistance to the Afghan people.

9. Osama bin Laden was a citizen of Saudi Arabia who went to Afghanistan and Pakistan in or around 1984 to help the Mujahideen against the Soviets. I met him several times during this period at our embassy in Pakistan. He returned to Saudi Arabia after the withdrawal of the Soviet Union from Afghanistan. After that time, he became increasingly confrontational with the government of Saudi Arabia because of our ties with the United States and because of the presence of U.S. troops in Saudi Arabia. I understand that Osama bin Laden left Saudi Arabia in 1991 and stayed for some years in the Sudan, where he attacked the legitimacy of the government of Saudi Arabia, called for jihad against the United States, and worked to build up his Al-Qaeda network of terrorists. Osama bin Laden was stripped of his citizenship by Saudi Arabia in 1994.

10. In 1997, as the threat from Osama bin Laden became increasingly clear, Saudi Arabia and the United

States formed a joint security committee to share intelligence and plans to combat terrorism in general and Osama bin Laden in particular. I served on this committee, which met on a continuous basis, every few months, either in Saudi Arabia or in the United States.

11. In or about June 1998, the Custodian of the Two Holy Places King Fahd and Crown Prince Abdullah instructed me to travel to Kandahar and meet with Taliban leader Mullah Omar and to convey an official Saudi request to extradite Osama bin Laden to Saudi Arabia for trial, and I did so. Negotiations regarding the extradition continued for several months between high-ranking Saudi and Taliban officials and appeared to be progressing smoothly.

12. In September 1998, when I returned to Kandahar for another meeting with Mullah Omar to pursue Osama bin Laden's extradition, Mullah Omar spoke to me abusively and declared that the Taliban would not extradite Osama bin Laden, whom Mullah Omar praised.

13. As a result of Mullah Omar's refusal to extradite Osama bin Laden, I recommended that Saudi Arabia withdraw its representative from Kabul and suspend diplomatic relations with the Taliban Government, which Saudi Arabia did in September 1998.

14. In Paragraph 346 of the Complaint, it is alleged that I acted as a "facilitator" of money transfers "from wealthy Saudis directly to al Qaeda and Osama bin Laden in Afghanistan." In Paragraph 350 of the Complaint it is alleged that "Istakhbarat served as a facilitator of Osama bin Laden's network of charities, foundations, and other funding sources." Although no dates are given in these two paragraphs, I understand from the context that this "facilitation" is alleged to have begun sometime in the 1990s (and therefore does not refer to the active support given by both the United States and Saudi Arabia to the Mujahideen in Afghanistan during the 1980s). These allegations are false. At no time during the period in question did I or the DGI knowingly transfer funds or facilitate the transfer of funds, either directly or indirectly, to Osama bin Laden or Al-Qaeda.

15. In Paragraph 348 of the Complaint, it is alleged that I participated in a meeting in July 1998 at which an agreement was reached with representatives of Osama bin Laden stipulating that "Osama bin Laden and his followers would not use the infrastructure in Afghanistan to subvert the royal families' control of Saudi government and in return, the Saudis would make sure that no demands [would be made] for the extradition of terrorist individuals, such



as Osama bin Laden, and/or for the closure of terrorist facilities and camps." In that paragraph it is also alleged that I promised to provide oil and financial assistance to the Taliban in Afghanistan and Pakistan. It is further alleged that, "[a]fter the meeting, 400 new pick-up trucks arrived in Kandahar for the Taliban, still bearing Dubai license plates."

16. These allegations are also false. Neither I nor, to my knowledge, anyone else in the Saudi government ever reached any agreement with any representatives of Osama bin Laden or Al-Qaeda regarding the extradition of terrorists. Neither I nor, to my knowledge, anyone else in the Saudi government ever offered material assistance to representatives of Osama bin Laden or Al-Qaeda in exchange for not attacking Saudi Arabia. Neither I nor, to my knowledge, anyone else in the Saudi government ever promised to provide oil and financial assistance to the Taliban. Neither I nor, to my knowledge, anyone else in the Saudi government ever arranged for 400 pick-up trucks to be delivered to Kandahar for the benefit of the Taliban.

17. In paragraphs 345 and 516 of the Complaint, it is suggested that I have "close financial ties" with a Syrian-born businessman named Zouaydi. I have no financial ties to any such person of which I am aware. Indeed, I do not



know any Mr. Zouaydi and had never even heard of him before this lawsuit was filed.

18. After my resignation from the DGI on August 31, 2001, I no longer had an operational position or an official title in the government of Saudi Arabia. Following the attacks of September 11, however, and until my appointment as Saudi Arabia's Ambassador to the Court of St. James (United Kingdom), I acted as a spokesman on behalf of Saudi Arabia and worked with the Foreign Ministry to craft and communicate Saudi Arabia's response to these events. In carrying out those duties, I traveled around the world, held meetings with foreign government officials, participated in international conferences, and gave numerous interviews to the media. I consulted regularly with the Foreign Ministry to help formulate government policies, to communicate with other countries, and to report on foreign public and government reactions to Saudi policies.

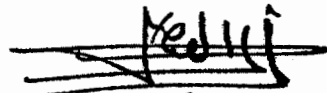
19. Since January 28, 2003, I have served as Saudi Arabia's Ambassador to the United Kingdom. A certification of my status as Ambassador from the foreign office of the United Kingdom is attached as Attachment A to this declaration.

20. I own no property, conduct no business, and hold no bank accounts in the United States. From 1959 until 1967, I attended school in the United States, first at Lawrenceville School in New Jersey and then at Georgetown University in Washington, D.C. In the course of my official duties as head of the DGI, I traveled to Washington, D.C., to confer with U.S. officials on intelligence matters. I have also made occasional trips to the United States over the years for medical reasons or on holiday.

21. Currently, my duties as Ambassador oblige me to reside in London. My domicile is and has always been Saudi Arabia.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on this 2<sup>nd</sup> day of MAY, 2003, in London, England.



Turki Al-Faisal bin Abdulaziz Al-Saud



# **EXHIBIT A**





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From: Head of Protocol and  
Vice-Marshal of the  
Diplomatic Corps

28 January 2003

HRH Prince Turki Al-Faisal  
Ambassador Extraordinary and Plenipotentiary  
Royal Embassy of Saudi Arabia  
30 Charles Street  
Mayfair  
London W1X 7PM

*You Excellency,*

*28/1/03*

I have the honour to acknowledge, on behalf of Her Majesty's Principal Secretary of State for Foreign and Commonwealth Affairs, Your Excellency's letter of 28 January 2003 informing him of your arrival in London on 27 January 2003 to take up your duties as Ambassador Extraordinary and Plenipotentiary of Saudi Arabia.

Your Excellency's name has been entered in the List of Representatives in London of Foreign States and Commonwealth Countries, in the quality of Ambassador Extraordinary and Plenipotentiary with effect from 28 January 2003. I have informed the Marshal of the Diplomatic Corps of your arrival. The Protocol Division will be in touch with you about an audience of the Queen for the presentation of your Letter of Credence and your predecessor's Letter of Recall. Middle East Department of the Foreign and Commonwealth Office will arrange for you to pay initial calls on Ministers, the Permanent Under Secretary of State and senior officials.

I have the honour to convey to  
Your Excellency the assurance of  
my highest consideration  
(For the Secretary of State)

Charles de Chassiron  
Vice Marshal of the  
Diplomatic Corps